<u>LIST OF THE CLAIMS</u>

Please amend Claims 1 and 28 as follows:

1. (Currently Amended) A system comprising:

a processor for executing instructions of a monitoring agent to monitor application data for compliance with policy data, wherein the system is not required to obtain information from a load balancer;

storage that is accessed due to the instructions executing on the processor, wherein the storage stores:

resource data, the resource data including information on a plurality of resources, the resources including a plurality of computers;

the application data including one or more application profiles, each application profile having a performance profile and a resource profile, the resource profile including resource utilization information;

the policy data including one or more application performance policies and one or more resource utilization policies; and

domain definition data including information on a plurality of domains where each domain [[groups]] <u>includes</u> a subset of the resources, wherein resources associated with a single domain are allocated for different types of applications.

2. (Original) The system of claim 1, wherein at least one of the applications comprises an aggregate application executing on at least two of the computers.

3. (Previously Presented) The system of claim 1, wherein the monitoring agent is further to perform arbitration within a domain grouping one or more of the

computers in response to a violation of one of the application and resource utilization policies.

4. (Original) The system of claim 1, wherein the monitoring agent is further to expand a domain grouping one or more of the computers in response to a policy violation.

5. (Original) The system of claim 1, wherein the monitoring agent is further to contract a domain grouping one or more of the computers.

6. (Currently Amended) The system of claim 1, further comprising the domain definition data, the domain definition data including information on [[a]] the plurality of domains, each domain comprising a grouping of one or more of the computers, one or more of the domains being a cluster.

7. (Original) The system of claim 6, wherein the cluster comprises a first container executing a set of replicated instances of an application on a first set of nodes and a second container having a second set of nodes.

8. (Original) The system of claim 7, wherein the monitoring agent is further to transfer a node from the second container to the first container in response to a violation of one of the policies.

9. (Currently Amended) The system of claim 1, further comprising the domain definition data having information on [[a]] the plurality of domains, each domain comprising a grouping of one or more of the computers, the domain definition data further including information on the resource utilization of a domain.

10. (Original) The system of claim 1, wherein the resource profile further includes resource demand information on the amount of resources an application requires.

11. (Original) The system of claim 1, wherein the resource utilization information includes resource consumption information on the amount of resources an application is currently assigned.

12. (Original) The system of claim 1, wherein the resource utilization information includes at least one of resource consumption information on the amount of resources an application is currently using, and resource consumption information on the amount of resources an application has used over a period of time.

13. (Original) The system of claim 1, wherein one of the computers is associated with a container to execute one of the applications.

14. (Original) The system of claim 1, wherein one of the computers is associated with a plurality of containers, each container to execute one of the applications.

15. (Original) The system of claim 14, wherein the policy data further includes one or more container utilization policies, each utilization policy associated with one of the containers.

16. (Original) The system of claim 14, wherein at least one of the containers is a partition.

17. (Original) The system of claim 16, wherein the monitoring agent is further to resize the partition in response to a violation of one of the policies.

18. (Original) The system of claim 16, wherein the partition is a hardware partition.

19. (Original) The system of claim 16, wherein the partition is a software-based partition.

20. (Original) The system of claim 14, wherein at least one of the containers is a processor set.

21. (Original) The system of claim 14, wherein at least one of the containers is a sub-CPU resource partition.

22. (Original) The system of claim 1, wherein the performance information includes response time.

23. (Original) The system of claim 1, wherein one or more of the application profiles includes resource allocation information for the associated application.

24. (Original) The system of claim 1, wherein one or more of the application profiles further includes instructions for installing the associated application.

25. (Currently Amended) The system of claim 22, wherein the instructions for the installing of the associated application further include instructions for configuring the associated application.

26. (Cancelled)

27. (Original) The system of claim 1, wherein the performance policies have a relative associated priority.

28. (Previously Presented) A method comprising:

monitoring application data, without requiring information from a load balancer, for compliance with one or more performance policies, the application data including one or more application profiles, each application profile having a performance profile and a resource profile, the resource profile including resource utilization information associated with an application, each application executing in a container associated with a domain, each domain including a subset of resources, the resources including a plurality of computers, wherein

resources associated with a single domain are allocated for different types of applications;

in response to a policy violation, automatically enforcing the policy by expanding a first one of the containers.

29. (Original) The method of claim 28, wherein the first container comprises a partition and expanding the first container comprises resizing the partition.

30. (Original) The method of claim 28, wherein the domain associated with the first container comprises a cluster.

31. (Original) The method of claim 30, wherein expanding the first container comprises transferring a node associated with a second container, the second container being in the domain associated with the first container, to the first container.

32. (Original) The method of claim 28, further comprising in response to a second policy violation, providing a message to a user.

33. (Original) The method of claim 32, wherein the message comprises a message that a lower priority policy cannot be met.